

Amendment No. 1 to SB0321

Southerland  
Signature of Sponsor

**AMEND Senate Bill No. 321\***

**House Bill No. 290**

by deleting subdivision (c) from Section 2 and substituting instead the following:

(c) It is the intent of the general assembly that the fees established pursuant to subsection (a) shall be used only to provide funding for implementation of, or improvement of the performance of the department in carrying out its duties under, the statutes specified in § 43-1-701(b), and the fees shall be graduated so that the fees are fairly apportioned to the extent practicable.

**AND FURTHER AMEND** by designating the existing language in Section 3 as subsection (a) and adding the following new subsections:

(b) Beginning in 2020 and at least every five (5) years thereafter, the commissioner shall evaluate fees associated with the statutes specified in § 43-1-701(b) and may make adjustments through the rule-making process. Individual fees shall not be adjusted more than once every five (5) years.

(c) After the initial adjustment under subsection (b), the percentage increase of any subsequent adjustment shall not exceed the percentage of increase in the average consumer price index, all items—city average, as published by the United States department of labor, bureau of labor statistics, between the dates of one (1) adjustment and the immediately subsequent adjustment. Individual fee adjustment amounts may be rounded up to the next tier amount provided in § 43-1-703(f).

(d) Fees established under § 43-1-703(a) and the statutes specified in § 43-1-701(b) shall not be increased in any year when the fund's fiscal year ending balance exceeds one hundred fifty percent (150%) of the fees collected in the previous year.